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MUNICIPAL ORDINANCES, RULES, AND REGULATIONS PERTAINING TO PUBLIC HEALTH.

COUNTY AND CITY OF DURHAM, N. C.

County and City Board of Health—Organization, Powers, and Duties. (Act of N. C., Mar., 3, 1913.)

SECTION 1. The board of commissioners of the county of Durham and the board of aldermen or other governing authorities of the city of Durham shall at a joint meeting to be held by them in the courthouse in the county of Durham on the first Monday of April, 1913, at 12 o'clock of the day, elect a board of health for the county and city of Durham, which said board shall be composed of seven citizens of said county at least two of whom shall be practicing physicians located in the city of Durham or Durham County. Three of said seven members shall be elected for a term of two years and so designated at said election, and four of said seven members shall be elected for a term of three years and so designated at said election. At the expiration of the term of the said three members so elected, their successors shall be elected at a joint meeting of the said board of commissioners of the county of Durham and the board of aldermen or other governing authorities of the city of Durham for a term of two years. At the expiration of the term of the said four members elected for the term of three years, their successors shall be elected at a joint meeting of the said board of commissioners of the county of Durham and the board of aldermen or other governing authorities of the city of Durham for a term of two years. The said joint meeting of the board of commissioners of the county of Durham and the board of aldermen or other governing authorities of the city of Durham for the election of the said members of the board of health shall be held at the courthouse in the city of Durham on the first Monday of April at 12 o'clock of the day. The clerk of the board of commissioners shall be clerk of said joint sessions, and it shall be his duty to notify the board of commissioners of the county of Durham and the board of aldermen or other governing authorities of the city of Durham of the time and the place of holding said joint session at least three days before the time prescribed for said joint session, and it shall be his further duty to immediately notify in writing the persons elected at said joint meeting the term for which they are elected and to certify their names to the clerk of the board of aldermen or other governing auhorities of said city.

SEC. 2. The board elected as prescribed in section 1 of this act shall be known and called the board of health of the county and city of Durham, and the members thereof shall hold their offices for the terms prescribed in section 1 of this act and until their successors are elected. And if any member of said board shall die, resign, remove from said county, or become incompetent to discharge the duties of said office, his successor shall be elected for the unexpired term by the board of health of said county and city.

SEC. 3. The said board of health of said county and city of Durham created by this act shall elect the superintendent of health of the county of Durham

and the health officer of the city of Durham at the time hereinafter prescribed, and the said officer, when elected, shall be known as the superintendent of health of the county of Durham and the city of Durham, and shall perform all the duties and have all the powers now prescribed by law, whether by the public laws of the State or the public local laws for the city and county of Durham now imposed upon the superintendent of health of the county of Durham and the health officer of the city of Durham, and he shall likewise be required to enforce all the rules and regulations now prescribed by the board of health of the city of Durham or which may hereafter be prescribed by the board of health of the county of Durham and city of Durham by this act created.

SEC. 4. On the second Tuesday of April at 12 o'clock of the day following their election the said board of health shall meet in the courthouse in the county of Durham and elect its chairman and secretary and the superintendent of health of said county and city and fix the compensation of said superintendent of health. It shall be the duty of the said secretary to certify to the board of commissioners of the county of Durham and the board of aldermen or other governing authorities of the city of Durham the names of the persons so elected chairman, secretary, and superintendent of health and the compensation of the said superintendent.

SEC. 5. The board of health of said county and city created by this act shall be charged with the performance of all the duties and shall be invested with all the powers now prescribed or imposed by law for and upon the sanitary committee of said county and the board of health of said city of Durham, or which may hereafter by law be prescribed or imposed.

SEC. 6. The said board of health shall on the first Monday of June of each year submit in writing to the board of commissioners of said county and to the board of aldermen or other governing authorities of said city of Durham in joint meeting held at the courthouse in the county of Durham at 10 o'clock of said day an estimate of the cost and expense of discharging the duties imposed upon them by law, and enforcing and carrying out the rules, regulations, and ordinances prescribed or enacted for the protection and preservation of the public health and the payment of the salary of the superintendent of health and of such other employees as it now or may be authorized by law to employ. And it shall be the duty of the board of commissioners of the county of Durham and the board of aldermen or other governing authorities of the city of Durham, respectively, to appropriate for the use of said board of health such amount of money as may by said board be deemed necessary to pay the salaries, costs, and other expenses authorized by this act. Fifty per cent of the money so appropriated shall be paid by the city of Durham and fifty per cent by the board of commissioners of Durham County, upon such warrant as is hereinafter prescribed by the respective treasurers of the city of Durham and the county of Durham. The money so appropriated by the said commissioners of the county of Durham and the board of aldermen or other governing authorities of the city of Durham shall be paid by the treasurer of the county of Durham and the treasurer of the city of Durham upon warrants drawn thereupon by the secretary of the board of health, approved or countersigned by the chairman of the said board of health and the superintendent of health; and an itemized statement of such expenses duly verified by the said secretary shall be published at the end of each quarter of the year and a copy thereof delivered to the clerk of the board of county commissioners and the clerk of the board of aldermen or other governing authorities of the city of Durham.

SEC. 7. It shall be the duty of the superintendent of health to give his entire time to the duties of his office, and he shall visit at least once during each

session or term each public school in the county and city of Durham and instruct them as to the preservation of health. He shall be removable by the board of health upon notice to him and after hearing for incompetency or neglect of duty.

SEC. 8. If the chairman of said board, or the secretary thereof, or the superintendent of health shall misapply or misappropriate any of the money appropriated for the use of the board of health by the board of commissioners of the county of Durham, or the board of aldermen or other governing authorities of the city of Durham, he shall be guilty of a misdemeanor.

SEC. 9. The board of health shall meet in regular session at the courthouse in the county of Durham on the first Mondays of May, July, September, November, January, and March of each year, and special meetings of said board may be called by the chairman of said board at such other times as he may designate, and notices of said special meetings shall be mailed to each member of said board by the secretary thereof at least two days before the time appointed for said special meeting. The chairman and secretary of said board shall be paid $4 a day for each regular meeting they shall attend and the other members of the said board shall each be paid the sum of $3 a day for each regular meeting they shall attend, but no per diem shall be allowed for special meeting, which said sum shall be paid out of the moneys appropriated for the expenses of the said board of health. In the event that there shall be an epidemic of disease in the said county or city of Durham which shall create an expense upon the board of health in excess of the amount appropriated by the board of commissioners of the county of Durham and the board of aldermen or other governing authorities of the city of Durham, then it shall be the duty of the chairman of said board of health to report the fact to the said board of county commissioners and the said board of aldermen or other governing authorities of the city of Durham and request a joint meeting of said boards to appropriate a sufficient amount of money to cover such extraordinary expenses, and in the event of any surplus of appropriation for the expenses of said board of health remaining unexpended at the end of any fiscal year, the same shall be credited upon the appropriations for the next succeeding year.

SEC. 10. Nothing in this act is intended to require or shall be construed as requiring the board of commissioners of the county of Durham to defray any part of the expenses of the sanitary department of the city of Durham or the governing authorities of the city of Durham to defray any expense for sanitation in that part of Durham County beyond the corporate limits of the city of Durham, but such expense of sanitation shall be borne respectively for the city by the governing authorities thereof and for the county outside the city limits by the board of commissioners of the county.

Definition of Terms Used in Regulations. (Reg. Bd. of H., Mar. 2, 1914.)

ARTICLE 1. SECTION 1. The term "board of health" or "board" as used in this code, shall be construed to mean the board of health of the county and city of Durham or its official representative.

SEC. 2. The term "person," as used in this code, shall be construed to mean any person or persons, firms, corporation, or association of persons.

SEC. 3. The term "food," as used in this code, shall include every article used for food or drink by man and every ingredient in such article.

SEC. 4. The term "dairy," as used in this code, shall be construed to mean and include any place where milk bottled or stored, or where any cow or cows are kept, from which milk is sold.